

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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BRIDGETT FELICE WEBB,

Plaintiff,

23 Civ. No. 8707 (VSB) (GS)

-against-

ORDER

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

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GARY STEIN, United States Magistrate Judge:

On October 3, 2023, the Court entered on the docket in this action a copy of the Standing Order in this District (M 10-468) pertaining to actions, like this one, where a plaintiff seeks review of a determination made by the Commissioner of Social Security. (Dkt. No. 4). The Standing Order sets forth a briefing schedule by reference to the rules governing briefing deadlines set forth in the Supplemental Rules for Social Security Actions (“Supplemental Rules” or “Supp. Rule”).

In particular, the Standing Order provides that under Supplemental Rule 6, a plaintiff must submit their brief for requested relief within 30 days after the Commissioner files its “answer.” (Dkt. No. 4 at 1). Under Supplemental Rule 4(b), the Commissioner’s “answer” may simply consist of filing the certified “administrative record” with this Court—that is to say, all of the documents that reflect consideration of the claimant’s case by the Social Security Administration and the Administrative Law Judge. Put differently, filing the administrative record triggers the 30-day clock for a plaintiff to submit their brief. That brief must be supported by facts with citations to the administrative record. Supp. Rule 5.

Here, Plaintiff Bridgett Felice Webb is appearing in this action *pro se*. On December 5, 2024, the Commissioner filed its “answer” by filing the certified administrative record and serving a copy on Ms. Webb by mail. (Dkt. Nos. 7, 8). That triggered the 30-day clock for Ms. Webb to submit her brief, meaning that the deadline for filing her brief was January 4, 2024. Ms. Webb did not submit a brief by that deadline and has not submitted a brief since that time. However, the Court recognizes that because Ms. Webb is not a lawyer, she may not have understood that January 4, 2024 was the deadline. Hence, the Court will give Ms. Webb another opportunity to submit her brief.

Accordingly, the Court sets forth the following briefing schedule: **Ms. Webb’s brief is due by Monday, April 8, 2024**; the Commissioner’s brief is due by Wednesday, May 8, 2024; and if Ms. Webb has any reply to the Commissioner’s brief, it is due Wednesday, May 22, 2024. The Commissioner is reminded of its obligation under the Standing Order to submit a brief by the deadline above even if Ms. Webb fails to submit her brief. (*See* Dkt. No. 4 at 2).

The Clerk of Court is respectfully directed to mail a copy of this order to Plaintiff at 301 West 153rd Street #1C, New York, NY 10039.

SO ORDERED.

DATED: New York, New York
March 8, 2024



The Honorable Gary Stein
United States Magistrate Judge